

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRAVELERS CASUALTY AND SURETY COMPANY
as Administrator for RELIANCE INSURANCE
COMPANY,

Plaintiff,

- against -

DORMITORY AUTHORITY - STATE OF NEW
YORK, TDX CONSTRUCTION CORP., and KOHN
PEDERSEN FOX ASSOCIATES, P.C.,

Defendants.

AND THIRD AND FOURTH PARTY ACTIONS.

In Re:

G.M. CROCETTI, INC.,

Debtor.

G.M. CROCETTI, INC.,

Plaintiff,

- against -

TRATAROS CONSTRUCTION, INC. and TRAVELERS
CASUALTY AND SURETY COMPANY,

Defendants.

TRATAROS CONSTRUCTION, INC. and
TRAVELERS CASUALTY AND SURETY
COMPANY,

Third-Party Plaintiffs,

- against -

DORMITORY AUTHORITY - STATE OF NEW
YORK, et al.,

Third-Party Defendants.

Case No. 07 Civ. 6915 (DLC)

Consolidated with
Case No. 08 Civ. 6239 (DLC)

**NOTICE OF MOTION FOR
PRO HAC VICE
ADMISSION OF COUNSEL**

Case No. 08 Civ. 6293 (DLC)
(Consolidated Action)

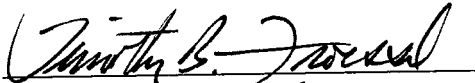
FILED
U.S. DISTRICT COURT
2010 OCT 18 PM 4:09
S.D. OF N.Y.

OCT 18 2010

PLEASE TAKE NOTICE that, upon the annexed affidavit of Timothy B. Froessel, sworn to October 13, 2010, and the certificates of good standing annexed thereto, and upon all pleadings and proceedings heretofore had herein, defendants Dormitory Authority of the State of New York and TDX Construction Corp., hereby move this Court, before the Hon. Denise L. Cote, at Courtroom 11B of the United States Courthouse located at 500 Pearl Street, New York, New York, for an order pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, permitting Livya L. Heithaus, Esq. of Holland & Knight LLP, 2099 Pennsylvania Avenue, NW, Washington, DC 20006, tel. no. 202-955-3000, fax no. 202-955-5564, to appear in this case as counsel for said defendants.

Dated: New York, New York
October 13, 2010

HOLLAND & KNIGHT LLP

By: 
Timothy B. Froessel
31 West 52nd Street
New York, New York 10019
(212) 513-3200

To: All Counsel of Record

#9805912_v1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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as Administrator for RELIANCE INSURANCE
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Plaintiff,

- against -

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**AFFIDAVIT OF TIMOTHY
B. FROESSEL IN SUPPORT
OF MOTION TO ADMIT
COUNSEL PRO HAC VICE**

Case No. 08 Civ. 6293 (DLC)
(Consolidated Action)

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

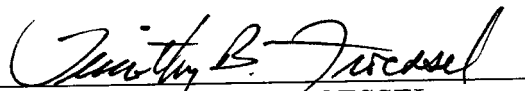
TIMOTHY B. FROESSEL, being duly sworn, hereby deposes and says as follows:

1. I am a member of the bar of this Court in good standing and an attorney with the law firm of Holland & Knight LLP ("Holland & Knight"), counsel for defendants Dormitory Authority of the State of New York and TDX Construction Corp. I submit this affidavit pursuant to Local Civil Rule 1.3(c) in support of defendants' application for an order granting Livya L. Heithaus *pro hac vice* admission to this Court to act as counsel for the defendants in this action.

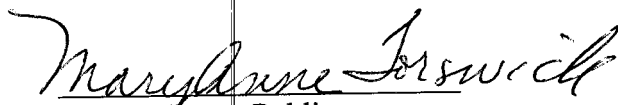
2. Ms. Heithaus is an associate in Holland & Knight's Washington, D.C. office, located at 2099 Pennsylvania Avenue, NW, Washington, D.C. She was admitted to practice law in the State of Maryland in 2006, and was admitted to practice law in the District of Columbia in 2008. Certificates of Ms. Heithaus' good standing with the Maryland and District of Columbia bars are annexed hereto as Exhibit A.

3. Ms. Heithaus is experienced in construction litigation, and has been assisting in research and the review of documents produced in this case. Given her experience and familiarity with underlying documents and facts, it would be efficient and economical for her to assist us in the trial of this matter. I have worked closely with Ms. Heithaus since September, 2009, and know her to be of high moral character.

WHEREFORE, it is respectfully requested that the Court enter an order, pursuant to Local Civil Rule 1.3(c), allowing Livya L. Heithaus to appear in this case as counsel for Dormitory Authority of the State of New York and TDX Construction Corp.


TIMOTHY B. FROESSEL

Sworn to before me this
13th day of October, 2010


Notary Public

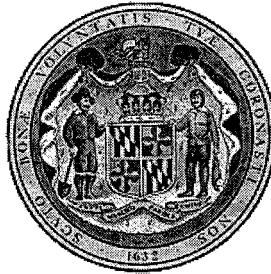
MARY ANNE TORSWICK
NOTARY PUBLIC, State of New York
No. 41-4774741
Qualified in Nassau County
Commission Expires April 30, 2014

2014

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EXHIBIT A

**Court of Appeals
of Maryland
Annapolis, MD**



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

*I, Bessie M. Decker, Clerk of the Court of Appeals of Maryland,
do hereby certify that on the twelfth day of December, 2006,*

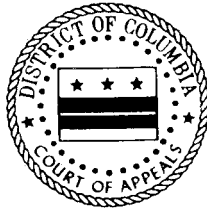
Livya Louise Heithaus

*having first taken and subscribed the oath prescribed by the Constitution and
Laws of this State, was admitted as an attorney of said Court, is now in good
standing, and as such is entitled to practice law in any of the Courts of said
State, subject to the Rules of Court.*

*In Testimony Whereof, I have hereunto
set my hand as Clerk, and affixed the Seal
of the Court of Appeals of Maryland, this
fifth day of October, 2010.*

Bessie M. Decker

Clerk of the Court of Appeals of Maryland



District of Columbia Court of Appeals
Committee on Admissions
430 F Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

I, JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals, do hereby certify that

LIVYA HEITHAUS

was on the 4TH day of FEBRUARY, 2008
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on October
7, 2010.

JULIO A. CASTILLO
Clerk of the Court

By: _____

A handwritten signature in dark ink, appearing to read "J. Pendergast", written over a horizontal line.
Deputy Clerk

CERTIFICATE OF SERVICE

TIMOTHY B. FROESSEL hereby declares the following to be true under penalty of perjury:

On October 13, 2010, I caused the foregoing Notice of Motion for Pro Hac Vice Admission of Counsel, with the supporting Affidavit of Timothy B. Froessel and Certificates of Good Standing, to be served upon all parties listed in the attached Service List, at the addresses designated for service, by depositing same, enclosed in a properly addressed wrapper, first-class postage pre-paid, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

Dated: New York, New York
October 13, 2010


TIMOTHY B. FROESSEL

SERVICE LIST

JoAnne M. Bonacci, Esq.
Dreifuss, Bonacci & Parker, LLP
26 Columbia Turnpike
North Entrance
Florham Park, NJ 07932

*Counsel for Travelers Casualty & Surety Co.
& Trataros Construction, Inc.*

David Abramovitz, Esq.
Zetlin & De Chiara LLP
801 Second Avenue
New York, NY 10017

Counsel for Kohn Pedersen Fox Assocs.

Jeremy Platek, Esq.
O'Connor Redd LLP
200 Mamaroneck Avenue
White Plains, NY 10601

Counsel for Bartec Industries, Inc.

William G. Kelly, Esq.
Goldberg Segalla LLP
11 Martine Avenue
Suite 750
White Plains, NY 10606-1934

Counsel for Dayton Superior Chem. Corp.

Vincent J. Zichello, Esq.
Zichello & McIntyre
60 East 42nd Street
New York, NY 10165

Counsel for Carolina Casualty Ins. Co.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Case No. 08 Civ. 6293 (DLC)
(Consolidated Action)

UPON THE MOTION of Timothy B. Froessel, attorney for the Dormitory Authority of the State of New York and TDX Construction Corp., and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Livya L. Heithaus
Holland & Knight LLP
2099 Pennsylvania Avenue, NW
Washington, DC 20006
Tel.: 202-955-3000
Fax: 202-955-5564

is admitted *pro hac vice* as counsel for the Dormitory Authority of the State of New York and TDX Construction Corp. in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including rules governing the discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: New York, New York
October __, 2010

United States District Judge

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